

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PAULEEN WISE,)
)
 Plaintiff,) 2:06cv1341
) Electronic Filing
 v.)
)
 MICHAEL J. ASTRUE,)
 Commissioner of Social)
 Security,)
)
 Defendant.)

MEMORANDUM ORDER

On October 23, 2006, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636 (b) (1) (A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On June 14, 2007 the magistrate judge issued a Report and Recommendation (Doc. 18) recommending that the District Court grant the Defendant's Motion for Summary Judgment (Doc. 15), and deny Wise's Motion for Summary Judgment (Doc. 13). Service of the Report and Recommendation was made on all parties and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 16 day of July, 2007, IT IS HEREBY ORDERED that the Defendant's Motion for Summary Judgment (Document 15) is **GRANTED**, and that the Claimant Wise's Motion for Summary Judgment (Document 13) is **DENIED**

The Report and Recommendation of Magistrate Judge Caiazza dated June 14, 2007 is hereby adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

cc: Honorable Francis X. Caiazza
United States Magistrate Judge

Stella L. Smetanka
University of Pittsburgh School of Law
210 South Bouquet Street
5220 Sennott Square, Health Law Clinic
Pittsburgh, PA 15260

Jessica Smolar, AUSA